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Docket No.: B189

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Karpusas et al.

Examiner: Nancy Ogihara

Application No.: 09/180,209

Group Art Unit: 1631

Filing Date: December 22, 1999

For: CRYSTALS OF FRAGMENTS OF CD40 LIGAND AND THEIR USE

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on:

Aug. 28, 2000
Date

Melissa Ponziano
Melissa Ponziano

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This responds to the Office Action mailed on July 28, 2000, in connection with the above-identified application. A copy of Applicants' Transmittal Letter and Petition as submitted November 4, 1998 is attached hereto, along with a copy of the IPER and Substitute Sheets.

From the Office Action, Applicants surmise that the Examiner has reviewed originally-filed Claims 1-36. However, in the Petition filed on November 4, 1998, Applicants indicated (by checking box 8b) that the claims as amended during the International Stage should be examined. Thus, Applicants' election of claims is as follows:

Applicants hereby elect to prosecute the claims of Group II (a machine-readable data storage medium having crystallographic coordinates stored thereon.) with traverse. Applicants respectfully request that Group V (a method of using stored crystallographic data) be re-joined and examined together with Group II. Applicants urge that a search on the subject matter of Group II will necessarily involve a search of the subject matter of

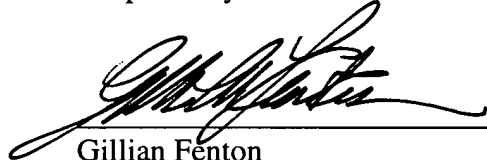
Group V; thus the interests and objectives of compact prosecution will best be served by re-joining these groups. Applicants note, however, that in the Substitute Sheets appended to the IPER for the International Stage parent application, Claim 12 (the only Claim assigned to Group II) was deleted. In the amended claim set, the subject matter of Group II is covered by Claim 13. The Examiner is respectfully asked to review the pending claims and confirm which will be examined in light of Applicants' election. Applicants expressly reserve the right to prosecute and obtain allowance of claims directed to the subject matter of Groups 1, 3, 4 and 5 in divisional applications filed during the pendency of the present application.

If there are any questions, or if a teleconference would expedite examination, the Examiner is respectfully urged to contact the undersigned at the telephone number listed below. Applicants request reconsideration of the application in light of the remarks herein and the appended documents.

Applicant believes that there are no fees due at this time, however, if this is incorrect, Applicants hereby authorize the Patent and Trademark Office to charge our Deposit Account No. 02-2327 for any deficiencies.

Dated: 28 Aug 00

Respectfully submitted,



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